

Milwaukee County Personnel Review Board
Meeting Minutes – March 3, 2015

I. Roll Call

Board President Daniel T. Dennehy called to order the regular meeting of the Personnel Review Board at 9:02 a.m. on Tuesday, February 17, 2015, in Room 203-R of the Milwaukee County Courthouse.

The following Board Members were present: Mr. Dennehy, Ms. Susan A. Lueger, Ms. Mary K. Bruno, and Ms. Melissa Soberalski. Mr. Carlos Pastrana was excused.

II. Approval of the Minutes of the February 17, 2015 Meeting

Ms. Lueger moved, Ms. Soberalski seconded, and the Board, by vote of 3-0, approved the minutes of the February 17, 2015 meeting. Mr. Dennehy abstained as he was not present at the February 17 meeting.

III. Communications and/or comments from the public, if any

None.

IV. Correspondence

The Board heard Mr. Dennehy's comments regarding outside counsel's authority to approve legal costs without Board approval. Mr. Dennehy suggested that the Board limit the amount that outside counsel can spend on legal costs without the Board's approval. Ms. Lueger moved, Ms. Soberalski seconded, and the Board, by unanimous vote (4-0) determined to require that outside counsel obtain prior approval of the Board before spending over \$250 on legal costs.

The Board also heard a report from Mr. Dennehy regarding challenges to the Board's status as a quasi-judicial, independent body. Mr. Dennehy moved, Ms. Bruno seconded, and the Board, by unanimous vote (4-0), determined to continue exploring the proper status of the Board within the County structure.

V. First Appearances

A. GRIEVANCE

**DOUGLAS FELDE, Airport Maintenance Worker, DOT
Case #4-4192, dated 2/23/2015**

Douglas Felde, appeared personally and was represented by Attorney Mark Sweet, Sweet and Associates, LLC. Attorney James Carroll, Assistant Corporation Counsel, argued that the Board does not have jurisdiction of Mr. Felde's grievance appeal because the issue is seniority, which is not an issue that can be appealed to the Board under Milwaukee County General Ordinances Chapter 17.205. Attorney Sweet argued that the Board does have jurisdiction to hear Mr. Felde's grievance appeal because it relates to working conditions, which are appealable to the Board under the ordinance.

The Board set the following briefing schedule on the issue of whether the Board has jurisdiction of the appeal:

- Attorney Carroll's brief on behalf of the appointing authority is due March 23, 2015.
- Attorney Sweet's response brief is due Monday, April 13, 2015.

B. DISCHARGES

JOSHUA WOLF, Correction Officer I, HOC

Case #2-4190, dated 02/17/2015

The Board heard the report of Attorney Mark Sweet, Sweet and Associates, on behalf of Joshua Wolf, who was present, waived his right to a hearing within 21 days, authorized Sweet and Associates to represent him in this matter, and requested a hearing date certain. Ms. Bruno moved, Ms. Soberalski seconded, and the Board, by unanimous vote (4-0), scheduled the matter for hearing certain on March 17, 2015.

C. SUSPENSIONS

LATRICE BROOKS, Corrections Officer, HOC

Case #1-4189, dated 02/17/2015 for 3 days

The Board heard the report of Attorney Jim Carroll, Assistant Corporation Counsel, that LaTrice Brooks, who was not present, had submitted a signed waiver of hearing on her Notice of Suspension, and Attorney Carroll presented a copy for the Board. Ms. Lueger moved, Ms. Soberalski seconded, and the Board, by unanimous vote (4-0), accepted the waiver and closed this case.

CAROL LASKA, Correction Officer I, HOC

Case #1-4188, dated 02/17/2015 for 5 days

The Board heard the report of Attorney Mark Sweet, Sweet and Associates, on behalf of Carol Laska, who was not present, waived her right to a hearing within 21 days, authorized Sweet and Associates to represent her in this matter, and requested a hearing date certain. Attorney Jim Carroll, Assistant Corporation Counsel, had no objection. Ms. Bruno moved, Ms. Soberalski seconded, and the Board, by unanimous vote (4-0), scheduled the matter for hearing certain on March 31, 2015.

MATTHEW MONREAL, Correction Officer I, HOC

Case #1-4185, dated 02/17/2015 for 3 days

Case #1-4186, dated 02/17/2015 for 5 days

Case #1-4187, dated 02/17/2015 for 8 days

(See item VI.B. below.)

VI. Update

A. DISCHARGE

KIM LISOWSKI, Clerical Assistant II, SHERIFF

Case #1-3538, dated 03/26/2011 for 10 days

Case #1-4104, dated 04/24/2014 for 2 days

Case #1-4105, dated 04/24/2014 for 5 days

Case #1-4106, dated 04/24/2014 for 10 days

Case #2-4133, dated 06/26/2014

Case #2-4134, dated 06/26/2014

The Board heard the report of Attorney Jim Carrol, Assistant Corporation Counsel, that the Kim Lisowski matter was complicated by several cases pending in other venues. The County believes that they may be able to work out a settlement and requested the cases remain at the call of the chair. Attorney Mark Sweet, Sweet and Associates, appeared on behalf of Ms. Lisowski, who was not present, and had no objections. Ms. Bruno moved, Ms. Lueger seconded, and the Board voted 4-0 to schedule the Lisowski matters for another update on March 17, 2015, with the intention to schedule the hearings for April 14, 2015, at that update.

VII. Hearings

A. DISCHARGE

HAROLD WOOSYPITI, Airport Maintenance Worker Asst, DOT

Case 2-4180, dated 01/22/2015

The Board heard the report of Attorney Daniel Bailey, Cross Law Firm, that Harold Woosypiti recently retained her law firm and that Mr. Woosypiti was requesting to adjourn his case to a future date to allow counsel to prepare for the hearing and to wait for the resolution of a related criminal claim. Jim Carroll, Assistant Corporation Counsel, stated that the charges for the discharge of Mr. Woosypiti were not dependant on the outcome of the criminal case. Ms. Lueger moved, Ms. Bruno seconded, and the Board, by unanimous vote (4-0), rescheduled the Harold Woosypiti matter for hearing certain on March 31, 2015.

B. SUSPENSIONS

VICTORIA MIKULA, Deputy Sheriff, SHERIFF

Case 1-4161, dated 12/18/2014 for IA #14-132 for 10 days

The Board heard the report of Attorney James Carroll, Assistant Corporation Counsel, and Attorney Ryan MacGillis, MacGillis Wiemer, LLC that Ms. Mikula's FMLA leave is due to expire at the end of March. Attorney MacGillis requested that the matter of Victoria Mikula be held to the call of the chair to await the results of her upcoming doctor appointment; Attorney Carroll had no objections. Mr. Dennehy recommended the matter be scheduled for hearing certain on April 14, 2015, since Ms. Mikula's FMLA is approved through the first week in April. Ms. Bruno moved, Ms. Soberalski seconded, and the Board, by unanimous vote (4-0) rescheduled the matter for hearing certain on April 14, 2015.

MATTHEW MONREAL, Correction Officer I, HOC

Case #1-4185, dated 02/17/2015 for 3 days

Case #1-4186, dated 02/17/2015 for 5 days

Case #1-4187, dated 02/17/2015 for 8 days

Matthew Monreal was not present at the hearing. The Board heard the report of Attorney Jim Carroll, Assistant Corporation Counsel that the appointing authority made multiple attempts to contact Matthew Monreal, but Mr. Monreal did not respond. Attorney Carroll stated that the County was prepared to proceed. The Board concurred, and the County presented its case.

At 10:22 a.m., Ms. Lueger moved, Ms. Bruno seconded, and the Board voted 4-0 to go into closed session to deliberate the Matthew Monreal matter. At 10:39 a.m., the Board reconvened in open session.

Ms. Bruno moved, Ms. Soberalski seconded, and the Board, by unanimous vote (4-0), found the evidence was sufficient to sustain the charged violations of Civil Service Rule VII, Section 4(1), paragraphs (l) and (o); to uphold the 3-day suspension, the 5-day suspension, and the 8-day suspension; and to impose an additional 20-day suspension due to the pattern of absences adjacent to weekends and holidays.

VIII. Adjournment

Ms. Lueger moved, Ms. Soberalski seconded, and the Board, by unanimous vote (4-0), adjourned the meeting at 10:55 a.m.

Minutes submitted by: Rebecca M. Janz, PRB/Ethics Board Administrator